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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
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09/154,431 09/16/98 MENARD

F GGD-101

WM02/0731

EXAMINER

ANTHONY M LORUSSO
LORUSSO AND LOUD
440 COMMERCIAL STREET
BOSTON MA 02109

DUONG, D

ART UNIT

PAPER NUMBER

2663

DATE MAILED:

07/31/01

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

CL

| | | |
|------------------------------|------------------------|---------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 09/154,431 | MENARD ET AL. |
| | Examiner Duc Duong | Art Unit 2663 |

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 16 September 1998.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-31 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- | | |
|---|--|
| 15) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 18) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____. |
| 16) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 19) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 17) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>6 & 7</u> . | 20) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. Claims 1-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Koyama U.S. Patent 5,654,957.

Regarding to claims 1-4, 11, and 12, Koyama discloses a packet communication packet system wherein comprised a connection (telephone) interface line 103 connect to a telephone network (line), a telephone interface 34 connect to a handset 19 (telephone set), a Local Area Network interface 101 connect to a packet network, and a processor (controller circuit) 31 interconnecting the telephone line interface telephone interface, Local Area Network interface, and packet network interface. It should be noted that the processor, depend on the signal arrival information, act as a controller circuit to route between the telephone interface, Local Area Network interface or packet network interface. See Figure 2 col. 5, lines 13-50. In claim 3, Koyama further discloses the Local Area Network interface connects to a packet network by a communication gateway 12 (packet network gateway). See Fig. 1, col. 2, lines

17-19. In claim 11, Koyama further discloses a speech packet processor (packet network interface) 33 connect to a packet network. See Fig.1 col.5, lines 28-31.

Regarding to claims 5-7, 13-15, 19, 21, 22, 24, 26, 27, 28, and 30, Koyama discloses communication between difference units (routing rule and method) is determine by the identifier of the unit (col.5, lines 58-62). So base on the identifier of the unit, the packet communication selects the connection path whether the identifier is a network address or telephone number (local, emergency, or long distance). See col. 6, lines 12-16. In claims 19 and 26, Koyama further discloses the method for routing telephone call to a packet network comprised of a connection (telephone) interface line 103 connecting to a telephone network (line), a handset (telephone set) 19 connecting to a telephone interface 34, a Local Area Network interface 101 or speech packet processor (packet network interface) 33 connecting to a packet network, and a processor (controller circuit) 31 to route between the interfaces. See Fig.1, col. 5 lines 65-67 and col.6, lines 1-12.

Regarding to claims 8, 16, 25, and 31, Koyama discloses the processor (controller circuit) 31 with database capability to identify and route telephone numbers. See Fig. 2, col. 5, lines 66-67 and col.6, lines 1-9.

Regarding claims 9, 17, 23, and 29, Koyama discloses case where communication is in busy mode (inactive). See col. 6, lines 53-65.

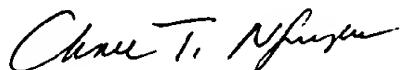
Regarding to claims 10 and 18, Koyama discloses a speech packet processor (encoder and decoder) 33 that's capable of encode and decode data for the processor to route call. See Fig. 2, col. 6, lines 8-10.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc T. Duong whose telephone number is 703-605-5146. The examiner can normally be reached on M-F (7:30 AM-4:30 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau T. Nguyen can be reached on 703-308-5340. The fax phone numbers for the organization where this application or proceeding is assigned are ~~703-305-3988~~ for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.



CHAU NGUYEN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

DD
July 24, 2001